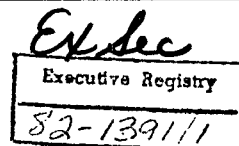


ADMINISTRATIVE - INTERNAL USE ONLY



17 May 1982

MEMORANDUM FOR: Deputy Director of Central Intelligence  
Executive Director  
Director, Intelligence Community Staff  
Deputy Director for Intelligence  
Deputy Director for Administration  
Deputy Director for Operations  
Deputy Director for Science and Technology  
Chairman, National Intelligence Council  
General Counsel  
Inspector General  
Comptroller  
Director, Equal Employment Opportunity  
Director of Personnel  
Director, Office of External Affairs  
Administrative Officer, DCI  
Executive Secretary

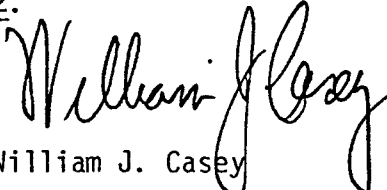
FROM : Director of Central Intelligence

SUBJECT : Temporary Delegation of Authority

1. During the absence of myself and the DDCI from 17 May through 19 May, all authorities of the DCI and DDCI, including those as set forth in Tab A but excluding those reserved by law as set forth in Tab B, are delegated to John N. McMahon. If Mr. McMahon is unavailable to discharge these authorities and responsibilities, they are hereby delegated to the next most senior Deputy by date of appointment as Deputy Director.

2. During this period, such officer, while neither assuming the statutory office of DCI nor accruing the powers of the office, is hereby designated Acting Director.

This 17th day of May, 1982.



William J. Casey

Attachments

ADMINISTRATIVE - INTERNAL USE ONLY

A

Temporary Delegation of Authority

1. The authority of the DCI to terminate employment pursuant to Section 102(c) of the National Security Act, 50 U.S.C. § 102(c);
2. The authorities of the DCI relating to procurement as prescribed by Section 3(c) of the Central Intelligence Agency Act of 1949, 50 U.S.C. § 403c;
3. The authority of the DCI relating to the entry of certain aliens as prescribed by Section 7 of the CIA Act of 1949, 50 U.S.C. § 403h;
4. The authority of the DCI relating to a certification of expenditures as prescribed by Section 8 of the CIA Act of 1949, 50 U.S.C. § 403j;
5. The authority of the DCI relating to the payment of death gratuities as prescribed by Section 11 of the CIA Act of 1949, 50 U.S.C. § 403k;
6. The authority of the DCI to accept gifts and the related authorities as prescribed by Section 12 of the CIA Act of 1949, 50 U.S.C. § 403l;
7. The authorities of the DCI conveyed by the Central Intelligence Agency Retirement Act of 1964, as amended, 50 U.S.C. § 403 Note (see also [redacted])
8. The determinations by the DCI concerning persons trained in foreign espionage systems as authorized by 50 U.S.C. § 852(c) and (d);
9. The determinations by the DCI as to atomic energy information authorized by 42 U.S.C. § 2162(e);
10. The determinations by the DCI under the Atomic Weapons and Special Nuclear Materials Rewards Act as to the entry of certain aliens and payment of reward as authorized by 50 U.S.C. §§ 47c and e.
11. The determinations by the DCI under the Foreign Service Act of 1980 that the imprisonment of a foreign national resulted from his employment by the United States and that compensation is authorized by 22 U.S.C. § 3970.
12. The authority to approve regulations which increase, decrease or otherwise impact on DCI/DDCI authorities. [redacted]
13. Establish rates of pay of CIA employees [redacted]

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Authorities Not Delegated as a Matter of Law

1. The authority of the DCI to execute formal claims of states secrets privilege. (See Reynolds v. U.S., 345 U.S. 1 (1953)).
2. The authority of the DCI to execute certifications under the Foreign Intelligence Surveillance Act. (See 50 U.S.C. § 1801 and Executive Order 12139 dated 23 May 1979.)
3. Pursuant to Executive Order 12333 as currently implemented by procedures promulgated under Executive Order 12036, the authorities of the DCI or DDCI which relate to intelligence activities of the Central Intelligence Agency conducted pursuant to Attorney General guidelines and subject to review and approval of the Attorney General; such authorities include:
  - Authority of DCI to request Attorney General approval of Central Intelligence Agency participation in foreign counterintelligence activities conducted in the United States (paragraph 1 of § 1-805 Procedures).
  - Authority of DCI to approve Central Intelligence Agency participation in Federal Bureau of Investigation or Department of Defense counterintelligence activities conducted in the United States (paragraph 2 of § 1-805 Procedures).
  - Authority of DCI to request Attorney General approval of surreptitious and continuous electronic or mechanical monitoring (paragraph 8 of § 2-203 Procedures).
  - Authority of DCI to request FBI to undertake surreptitious and continuous electronic or mechanical monitoring (paragraph 17 of § 2-203 Procedures).
  - Authority of DCI to request Attorney General approval of unconsented physical searches directed against United States persons abroad (paragraph 11 of § 2-204, 205 Procedures).
  - Authority of DCI to request FBI to conduct a physical search (paragraph 19 of § 2-204, 205 Procedures).
  - Authority of DCI to approve each instance in which Agency employees have undisclosed participation in an organization within the U.S. in order to identify and develop foreign nationals as sources or contacts (paragraph 5.g of § 2-207 Procedures).

- Authority of DCI to approve categories of permissible undisclosed participation (paragraph 8 of § 2-207 Procedures).
  - Authority of DCI to request Attorney General approval of other types of undisclosed participation (paragraph 11 of § 2-207 Procedures).
  - Authority of DCI to request FBI to undertake electronic surveillance in the United States (paragraph A.3 of § 2-208 Procedures).
  - Authority of DCI to request Attorney General approval of electronic surveillance (paragraph A.5 of § 2-208 Procedures).
  - Authority of DCI to approve classes or categories of covert procurement (paragraph 6 of § 2-303 Procedures).
  - Authority of DCI to request Attorney General approval to assist federal, state or local law enforcement agencies (paragraph 6 of § 2-309c Procedures).
  - Authority of DCI to designate subordinates to execute various specified functions as specified in the Executive Order 12036 Procedures (See, e.g., § 2-206).
  - Authority of DCI to apply for Presidential exceptions to the Executive Order 12036 Procedures.
4. Under Executive Order 12065, the authorities of the DCI which relate to the classification of documents. Such functions include:
- Authority of the DCI (or DDCI) to classify a document after receipt of a request for such document under the FOIA or Mandatory Review provisions of the Executive Order on classification. (See § 1-606 of Executive Order 12065.)
  - Authority of the DCI to delegate Top Secret classification authority (See § 1-204 of Executive Order 12065.)
  - Authority of DCI to extend the classification period for individual documents beyond twenty years (See § 3-401 of Executive Order 12065.)
  - Authority of the DCI to create a special access programs to control particularly sensitive classified information (See § 4-201 of Executive Order 12065.)